

# **El Paso County, Texas**

## **Purchasing Code of Ethics & Conflict of Interest**

A special responsibility is imposed on all people who are entrusted with the disposition of the government funds. As purchasing personnel, we are required to perform with the highest integrity while we are constantly being asked to manage more effectively, to secure better economic results, to speed up the process, and to be innovative in accomplishing our mission. Elected and appointed officials as well as all county employees are entrusted with the safety and welfare of its constituents. In return, the constituents expect that their government employees' private interests will not conflict with public business.

The nature of purchasing functions makes it critical that all players in the process remain independent, free of obligation or suspicion, and completely fair and impartial. Maintaining the integrity and credibility of a purchasing program requires a clear set of guidelines, rules and responsibilities to govern the behavior of purchasing employees. Credibility and public confidence are vital throughout the purchasing and contracting system. Any erosion of honesty, integrity or openness tends to be more injurious to purchasing than to most other public programs. The shadow of doubt can be as harmful as the conduct itself. It is with this in mind that the following policies and procedures are set forth.

It is the policy of the El Paso County Purchasing Department that the following ethical principles will govern the conduct of every employee involved directly or indirectly in the County procurement process.

### **RESPONSIBILITY TO COUNTY**

Purchasing employees will avoid any activities that would compromise or give the perception of compromising the best interests of El Paso County. Employees will not use confidential proprietary information for actual or anticipated personal gain; reduce the potential for any charges of preferential treatment by actively promoting the concept of competition.

### **CONFLICT OF INTEREST**

Purchasing employees will avoid any activity that would create a conflict between personal interests and the interests of El Paso County. Conflicts exist in any relationship where an employee is not acting in the County's best interest and may be acting in their own best interests or the interests of someone associated with them. Such conflicts of interest would include being involved in any procurement activity in which:

1. The employee or any member of the employee's family has any financial interest pertaining to the El Paso County procurement process;
2. A business or organization in which the employee, or any member of the employee's family, has a financial interest pertaining to the El Paso County procurement process; or

3. Any other person, business, or organization with whom the employee or a member of the employee's family is negotiating or has any arrangement concerning prospective employment;
4. Avoid any private or professional activity that would create a conflict between your personal interest and the interests of County of El Paso.

If any such conflicts of interest exist, the employee will immediately notify the Purchasing Agent in writing and will remove himself/herself from the El Paso County procurement process.

### **PERCEPTION**

Employees will avoid any appearance of unethical or compromising practices in all relationships, actions, and communications.

- Avoid the appearance of unethical or compromising practices in relationships, actions and communications
- Avoid business relationships with personal friends. Request a reassignment if the situation arises
- Avoid holding business meetings with suppliers outside the office. When such meetings do occur, the meeting location should be carefully chosen so as not to be perceived as inappropriate by other persons in the business community or your peers.

### **GRATUITIES**

Employees will never solicit or accept money, loans, gifts, favors, or anything of value, from present or potential vendors which might influence or appear to influence any purchasing decision. Generally edible goods with a value of \$50.00 or less are acceptable if shared with the entire staff, the public and will not offend this prohibition unless it appears to influence a purchasing decision. If anyone is in doubt whether a transaction complies with this policy, the individual should disclose the transaction to the Purchasing Agent for interpretation.

Gifts offered exceeding nominal value should be returned with an explanation or if perishable either returned or donated to a charity in the name of the supplier. In the case of any gift, care should be taken to evaluate the intent and perception of acceptance to ensure that it is legal, that it will not influence your buying decisions, and that it will not be perceived by your peers and others as unethical.

### **BUSINESS MEALS**

For the most part Purchasing personnel should avoid going to eat with vendors or potential vendors; however, there are times when during the course of business it may be appropriate to conduct business during meals. In such instances, the meal should be for a specific business purpose, and the purchasing professional must pay for his or her own meal.

## **CONFIDENTIAL INFORMATION**

Purchasing employees will keep all proponents' and vendors' proprietary information confidential and will keep El Paso County procurement information obtained from a bid Request for Proposals, Request for Qualifications confidential as long as that vendor information is retained by El Paso County to the extent allowed by state and federal law.

## **RELATIONSHIP WITH THE SUPPLIER**

Maintain and practice, to the highest degree possible, business ethics, professional courtesy and competence in all transactions

Purchase without prejudice, striving to obtain the maximum value for each dollar of expenditure

Adhere to and protect the suppliers business and legal rights to confidentiality for trade secrets, and other proprietary information

Refrain from publicly endorsing products

## **RELATIONSHIP WITH THE COUNTY**

Remain free of any and all interests and activities, which are or could be detrimental or in conflict with the best interests of El Paso County. Refrain from engaging in activities where the buyer has a significant personal or indirect financial interest

## **RELATIONSHIPS WITH OTHER AGENCIES AND ORGANIZATIONS**

A Purchasing employee shall not use his position to exert leverage on individuals or firms for the purpose of creating a benefit for agencies or organizations that he may represent

All involvement and transactions shall be handled in a professional manner with the interest of El Paso County taking precedent